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IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF UTAH CENTRAL DIVISION

DEROYALE ARDEANE JOHNSON, Plaintiff, v. DR. KENNON TUBBS, <i>et al.</i> , Defendants.	MOTION TO DISMISS Case: 2:11-cv-00641 Judge Dee Benson
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Defendants Dr. Tubbs, Dr. Garden, and P.A. Jeffries, (collectively hereinafter "State Defendants" or "Defendants"), by and through counsel Meb W. Anderson, Assistant Utah Attorney General, hereby submit this Motion to Dismiss.

This Motion is based on the Plaintiffs' failure to state a claim upon which relief can be granted, failure to comply with the applicable statute of limitations, failure to allege any affirmative link, and/or failure to allege any clearly established constitutional violation that can withstand the immunity provided to the Defendants through the doctrine of qualified immunity.

DATED this 12th day of June, 2012.

MARK L. SHURTLEFF
UTAH ATTORNEY GENERAL

/s/ Meb W. Anderson
MEB W. ANDERSON
Assistant Utah Attorney General
Attorney for State Defendants

CERTIFICATE OF MAILING

I certify that on June 12, 2012, I electronically filed the foregoing **MOTION TO DISMISS**, using the Court's CM/ECF system and I also certify that a true and correct copy of the foregoing was sent by United States mail, postage prepaid, to the following:

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PO BOX 250
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PRO SE

/s/ Yvonne Schenk